

MESSAGE NO: 5149309 MESSAGE DATE: 05/29/2015

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE: RES-Rescission

FR CITE: 80 FR 27146 FR CITE DATE: 05/12/2015

REFERENCE MESSAGE # 3073301
(s):

CASE #(s): A-570-954

EFFECTIVE DATE: 05/12/2015 COURT CASE #:

PERIOD OF REVIEW: 09/01/2013 TO 08/31/2014

PERIOD COVERED: TO

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Notification of rescission of administrative review of antidumping duty order on Certain Magnesia Carbon Bricks from the People's Republic of China (A-570-954)

1. Commerce has rescinded the administrative review of the antidumping duty order on Certain Magnesia Carbon Bricks from the People's Republic of China (A-570-954) covering the period 09/01/2013 through 08/31/2014 for the firms listed below. You are to assess antidumping duties on merchandise entered, or withdrawn from warehouse, for consumption during the period 09/01/2013 through 08/31/2014 at the cash deposit rate required at the time of entry.

Liquidate all entries for the following firms:

Fengchi Imp. and Exp. Co., Ltd. of Haicheng City

Case number: A-570-954-017

Fedmet Resources Corporation

No case number was in place for this company during the period of review.

Fengchi Mining Co., Ltd of Haicheng City

No case number was in place for this company during the period of review.

Fengchi Refractories Corp.

No case number was in place for this company during the period of review.

Puyang Refractories Co., Ltd.

No case number was in place for this company during the period of review.

For the companies listed above without listed case numbers, entries may have been made under A-570-954-000 or other company-specific case numbers.

2. Notice of the lifting of suspension of liquidation of entries of subject merchandise covered by paragraph 1 occurred with publication of the notice of rescission of administrative review (80 FR 27146, 05/12/2015). Unless instructed otherwise, for all other shipments of certain magnesia

carbon bricks from the People's Republic of China you shall continue to collect cash deposits of estimated antidumping duties for the merchandise at the current rates.

3. The injunction with court number 12-00215 discussed in message number 3073301, dated 03/14/2013, is applicable to the entries of Fedmet Resources Corporation's Bastion magnesia alumina carbon bricks which were produced and/or exported by Fengchi Imp. and Exp. Co., Ltd. of Haicheng City and Fengchi Refractories Co., of Haicheng City, and imported by Fedmet Resources Corporation, and which were entered, or withdrawn from warehouse, for consumption on or after 09/26/2011. Accordingly, continue to suspend liquidation of such entries until liquidation instructions are issued.

4. The assessment of antidumping duties by CBP on shipments or entries of this merchandise is subject to the provisions of section 778 of the Tariff Act of 1930, as amended. Section 778 requires that CBP pay interest on overpayments or assess interest on underpayments of the required amounts deposited as estimated antidumping duties. The interest provisions are not applicable to cash or bonds posted as estimated antidumping duties before the date of publication of the antidumping duty order. Interest shall be calculated from the date payment of estimated antidumping duties are required through the date of liquidation. The rate at which such interest is payable is the rate in effect under section 6621 of the Internal Revenue Code of 1954 for such period.

5. Upon assessment of antidumping duties, CBP shall require that the importer provide a reimbursement statement, as described in section 351.402(f)(2) of Commerce's regulations. The importer should provide the reimbursement statement prior to liquidation of the entry. If the importer certifies that it has an agreement with the producer, seller, or exporter, to be reimbursed antidumping and/or countervailing duties, CBP shall double the antidumping duty and/or increase the antidumping duty by the amount of the countervailing duties in accordance with the above-referenced regulation. Additionally, if the importer does not provide the reimbursement statement prior to liquidation, reimbursement shall be presumed and CBP shall double the antidumping duties due. If an importer timely files a protest challenging the presumption of reimbursement and doubling of duties, consistent with CBP's protest process, CBP may accept the reimbursement statement filed with the protest to rebut the presumption of reimbursement.

6. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by OV:KH.)

7. There are no restrictions on the release of this information.

Michael B. Walsh

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party